



GILBERT
A R I Z O N A

CLERK'S OFFICE

2020
Primary and General
Election
Candidate Handbook

Town Clerk's Office
50 East Civic Center Drive
Gilbert, AZ 85296
(480)503-6861

INTRODUCTION

The Town of Gilbert 2020 Primary and General Election Candidate Handbook provides basic election information to persons interested in running for Town Council. The next Town of Gilbert Primary Election (Primary) will be held on Tuesday, August 4, 2020, for the purpose of electing a Mayor and two Councilmembers to four-year terms. The Mayor and Councilmembers are elected at-large, on a nonpartisan basis. To be elected at the Primary, a candidate must receive a majority of the legal votes cast in that candidate's race. A General Election (General) will be held on Tuesday, November 3, 2020, if any of the three seats are not filled at the Primary.

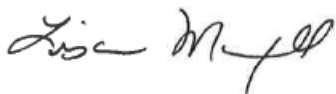
NOTE: *Whenever the General Election is referenced in this manual, or in any of the materials in the Candidate packet, it is implied that a General Election will be held only if necessary.*

The Town Clerk's Office provides general information to assist all candidates. Individual candidates, however, are ultimately responsible for compliance with election laws. Please take time to thoroughly review the information contained in your Candidate Packet, making sure that you, and those running your campaign, comply with all applicable statutes and ordinances.

Every effort was made to provide you with materials that are current. However, State statutes are subject to constant change and interpretation, and neither the Town Clerk nor the Town Attorney is able to provide legal advice on election questions to individual candidates. Given the complexity of election laws, particularly campaign finance laws, and the importance of timely compliance, candidates are strongly encouraged to seek the assistance of an attorney or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process.

The Town of Gilbert appreciates your interest in our election process and welcomes suggestions regarding additional information that would be of assistance to you. Please contact the Gilbert Town Clerk's Office if you have questions.

Sincerely,



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GENERAL INFORMATION

TOWN COUNCIL

The Council consists of a Mayor and six Councilmembers elected from the town at large to serve four-year terms. Elections are held every two years in the fall of even-numbered years.

OFFICES TO BE FILLED, INDUCTION, SALARIES

The Mayor and two Council seats will be filled in 2020. The incumbents are Mayor Jenn Daniels and Councilmembers Scott Anderson and Jared Taylor.

Newly elected Councilmembers will be inducted at a Council meeting in January 2021.

The annual salary of the Mayor and Council is set at \$43,631 and \$21,012, respectively.

Qualifications of Candidates [ARS §16-311(B), Code of Gilbert 26-1]

All candidates for elected office in the town shall be qualified electors of the town and should have been registered no later than the date of the first signature on their nomination petitions. Candidates shall have resided in the town for at least one year preceding the election in which he is running, except that a person living in an area that has been annexed into the town during the year preceding the election shall be qualified if he has resided in that annexed area at least one year prior to the election.

PRIMARY ELECTION [ARS §16-201]

The date of the primary election shall be the first Tuesday in August. For 2020, the Primary Election will be held on August 4, 2020.

Election at the Primary (Determining a Majority) [Code of Gilbert 26-6(b)]

Any candidate who receives at the Primary Election a majority of the legal votes cast for that candidate's race is declared to be elected at the Primary to the office for which he or she is a candidate. A legal vote means a vote actually cast in that candidate's race and excludes ballots and other votes that were not actually cast in that race.

A majority is calculated by dividing the total number of legal votes cast in each candidate's race by the number of seats to be filled, dividing that number in half, and rounding to the next highest whole number.

For example, three candidates are running for Mayor and twelve candidates are running for three Council seats. The results of the Primary Election indicate that 1,000 voters cast 990 legal votes in the Mayor's race. As a result, to be elected Mayor at the Primary, a mayoral candidate must receive at least 496 votes. (The total number of legal votes divided by the number of seats, in this case one, then dividing that number in half and rounding to the next highest whole number.)

Those same 1,000 voters cast 2,763 legal votes for Council candidates. As a result, to be elected to a Council seat at the Primary, a Council candidate must receive at least 461 votes. (The total number of legal votes divided by the number of seats, in this case three, then dividing that number in half and rounding to the next highest whole number.)

If, due to lack of a majority, there are offices that are not filled at the Primary Election, a General Election must be held to fill those offices. Candidates qualify for inclusion on the General Election ballot in the order of the total votes received at the Primary Election.

No more than twice the number of candidates for which there are vacancies to be filled may be placed on the General Election ballot. For example, if two Council seats are not filled at the Primary election, no more than four candidates receiving the highest number of votes at the Primary Election, excluding those who receive a majority and are declared elected, will have their names placed on the General Election ballot.

GENERAL ELECTION [Code of Gilbert 26-7]

A general election of the town shall be held on the first Tuesday after the first Monday in November of even-numbered years and every second year thereafter, but whenever such election date falls upon a legal holiday, the election shall be held on the next succeeding business day. For 2020, the General Election will be held on November 3, 2020.

General Election – Candidates [Code of Gilbert 26-7(b)]

If at any primary election there is any office for which no candidate was elected, then as to such office, such election shall be considered to be a primary election for nomination of candidates for such office and the second or general municipal election shall be held to vote for candidates to fill such office. Candidates to be placed on the ballot at such second or general Town election shall be those not elected at the primary election, and shall be equal in number to twice the number to be elected in any given office, or less than that number if there are less than that number named on the primary ballot. Persons who received the highest number of votes for the respective offices at the primary election shall be the only candidates at the general election; provided, however, that if thereby any person under the provisions of this section, would have been entitled to become a candidate except for the fact that some other candidate received an equal number of votes, therefor, then all such persons receiving such equal number of votes shall likewise become candidates for such office.

ELECTION DECLARATION [Code of Gilbert 26-8]

The candidates equal in number to the persons to be elected who shall receive the highest number of votes at such election shall be declared elected to such office.

If among the candidates receiving the highest number of votes, two persons receive the lowest and same number of votes, the resulting tie for the last position to be filled shall be decided by lot between those two candidates, the winner of the lot being declared elected.

ASSUMPTION OF OFFICE [Code of Gilbert 26-9]

The councilmembers shall assume the duties of office at a regular or special council meeting held on or after the second Tuesday in January in the year following the election at which they were elected, but in no event later than the twentieth day of January of that year.

CANDIDATE PACKET

Each candidate packet contains the required forms for filing including a Statement of Interest, nomination petitions, a Statement of Organization form, and campaign finance forms.

The Clerk's Office staff is here to assist candidates in the filing process but cannot provide legal advice to candidates. Please take time to review all election materials thoroughly before filing nomination papers.

Candidate Nomination Papers as Public Records

All papers filed by candidates and their respective political committees are public records. These papers are typically reviewed by the press, citizens, and other candidates. No information contained on these papers, including home addresses and phone numbers, is redacted.

STATEMENT OF INTEREST [ARS §16-311; ARS §16-341(I)]

All candidates must file a Statement of Interest with the Clerk's Office before collecting signatures. Any signatures collected before the Statement of Interest is filed will not be valid.

FILING DEADLINE [ARS §16-311(B)]

To become an official candidate for Mayor or Council and to have your name printed on the 2020 Primary Election ballot, the following forms must be filed with the Town Clerk no sooner than 7:00 a.m., Monday, March 9, 2020 and no later than 5:00 p.m., Monday, April 6, 2020:

- **Nomination Petitions** containing at least 1,000 but not more than 2,223 valid signatures.
- **Nomination Paper**
- **Financial Disclosure Statement**

These forms are discussed in more detail below.

*** Nomination Petitions (Nonpartisan)**

Sample nonpartisan nomination petitions in English and in Spanish are available on the Town website. Additional blank petitions may be obtained from the Clerk's Office during normal business hours.

The earliest date petitions may be filed is 7:00 a.m., Monday, March 9, 2020. ***The deadline for filing petitions and nominating papers is 5:00 p.m., Monday, April 6, 2020.***

Only qualified electors of Gilbert may sign nomination petitions.

Number of Signatures Required [Code of Gilbert 26-2; ARS §16-322(A)(8)]

The number of signatures required on nomination petitions for a candidate for the office of Mayor or Council shall be one thousand (1,000) signatures or five (5) percent of the highest vote cast for the position being sought in the last preceding election, whichever is less, but not to exceed ten (10) percent of the highest vote cast for the position sought in the last preceding election.

Nomination petitions for the 2020 must contain at least 1,000 and not more than 2,223 valid signatures.

A qualified elector (registered Gilbert voter) may sign one nomination petition for each seat or office to be filled. **In 2020, the Mayor's seat and two Council seats are to be filled; therefore, an elector may sign one nomination petition for Mayor and up to two candidates' nomination petitions for Council.**

Supplemental Petition Filings

Nominating petitions must contain the minimum number of valid signatures at the time of the initial filing of the candidate's papers. Candidates may make one supplemental filing of additional petition sheets prior to the candidate filing deadline (5:00 p.m., Monday, April 6, 2020).

Legal Sufficiency of Nomination Petitions

It is the duty of the courts and not the Town Clerk to determine the legal sufficiency of nomination petitions. The Town Clerk need only determine that the nomination petitions are substantially in regular form and contain the required number of signatures. The Town Clerk has neither the right nor the duty to determine whether signers of the nominating petitions are qualified electors.

Appeals

An elector may file a court action challenging a nomination petition in accordance with ARS §16-351.

Petition Circulators [ARS §16-321(D)]

A petition circulator is not required to be an Arizona resident, but otherwise shall be qualified to register to vote in Arizona pursuant to ARS §16-101 and, if not a resident of Arizona, shall register as a circulator with the Secretary of State. A circulator shall verify that each of the names on the petition was signed in his presence on the date indicated, and that in his belief each signer was a qualified elector who resides at the address given as the signer's residence on the date indicated. Only one person may circulate a petition sheet, and the same person who circulated the sheet must sign the certificate on the back of the petition.

*** Nomination Paper/Declaration of Qualification [ARS §16-311]**

The Nomination Paper provides written notification to the Town Clerk of an individual's intent to become a candidate for office. The following information is required on the Nomination Paper:

1. Actual residence address or description of place of residence and post office address.
2. The office for which the candidate is offering candidacy.
3. The date of the election.
4. The exact manner in which a candidate desires to have his or her name printed on the official ballot. This manner is limited to the candidate's surname and given name or names, an abbreviated version of such names, or appropriate initials. Nicknames are permissible but in no event may nicknames, abbreviated versions or initials of given names suggest reference to professional, fraternal, religious or military titles. Candidate's abbreviated name or nickname may be printed within quotation marks. The candidate's surname must be printed first, followed by the given name or names.
5. A declaration that the candidate at the time of the election will be qualified to hold the office being sought.

A Nomination Paper must be filed at the time the candidate's nomination petitions are filed.

*** Finance Disclosure Statement [Code of Gilbert 26-4; ARS §16-311(H)(1); ARS § 38-543]**

A completed Financial Disclosure Statement must be filed at the time the candidate's nomination petitions and papers are filed with the Town Clerk. The statement shall cover the preceding twelve month period and contain such information as required by resolution of the Gilbert Town Council.

WRITE-IN CANDIDATES [ARS §16-312]

A write-in candidate is not required to file nomination petitions; however, a write-in candidate is required to file all other candidate election forms. To qualify as a write-in candidate, a Nomination Paper, Declaration of Qualifications, and Public Officers Financial Disclosure Statement must be filed with the Town Clerk's Office by 5:00 p.m., Thursday, June 25, 2020 (40 days prior to the Primary Election). Any person seeking to run as a write-in candidate who does not file a timely nomination paper shall not be counted in the tally of ballots.

RESIGNATION OF OTHER OFFICE OR POSITION [Code of Gilbert 26-3]

Except during the final year of the term being served, an incumbent of a salaried elective office, whether holding by election or appointment, shall resign his position upon filing a nomination paper for election.

A non-salaried member of a committee, commission or administrative board of the town, whether elected or appointed, shall resign his position upon being elected to the council. This provision shall not apply to members of the council who, by law, are required to act as members of other committees, commissions or administrative boards.

A town employee shall resign his position upon filing a nomination paper for election to the council or upon publicly declaring his candidacy for election, whichever occurs first.

CAMPAIGN FINANCE

A candidate for Mayor or Council must comply with all State campaign finance laws. [Arizona Revised Statutes Title 16 Elections and Electors, Chapter 6 (Campaign Contributions and Expenses)] Campaign finance laws are specific and detailed. They establish, among other things, when a candidate is required to form a committee, how a candidate's committee must be constituted, contribution limits, and when campaign finance reports are required and their content. The importance of strict compliance with campaign finance laws cannot be overstated. Timely, accurate compliance with campaign laws is essential to avoid monetary penalties, possible criminal violations, and other negative consequences. Failure to comply with campaign finance laws may be the subject of enforcement actions, as well as civil and criminal penalties.

To ensure compliance with all State campaign finance laws, candidates are strongly encouraged to seek the assistance of an attorney and/or other professionals with knowledge of election laws from the beginning of their involvement in the campaign process.

CAMPAIGN FINANCE LAWS, FORMS AND REPORTS

Links to Campaign Finance forms, the Secretary of State Campaign Finance handbook and the Secretary of State's Campaign Contribution Limits for the 2019-2020 Election Cycle are all available on the Town's website.

Statement of Organization [ARS §16-925 – 16-905(B)]

Candidates who receive contributions or make expenditures, in any combination, of at least \$500 in connection with their candidacy in the 2020 Town of Gilbert municipal elections must designate, in writing, a political committee to serve as the candidate's committee. This is done by filing a Statement of Organization with the Town Clerk (filing officer).

A candidate may have only one committee in existence for the same office during the same election cycle. Since committees are now required to accept all correspondence through email, it is imperative committee contact information be kept up-to-date. Candidates are required to file an amended Statement of Organization within ten days after any change in committee information. It is important the Clerk's Office have up-to-date email addresses for political committees as the candidate agrees to accept only electronic correspondence when the Statement of Organization is filed. [ARS §16-906]

Campaign Finance Reporting Requirements [ARS §16-925 – 16-928]

Campaign finance reports **must** be filed with the Town Clerk throughout the election period. An electronic copy of the form is available on the Town's website. It is the responsibility of the candidate and/or candidate's committee to ensure all deadlines are met. Electronic filing via email to Electionreports@gilbertaz.gov is permissible, as long as the report is legible. The required reports and respective filing dates for the 2020 elections are as follows:

2019 Annual/4th Qtr Report: January 1, 2019, ***or opening reporting date***, through December 31, 2019
Earliest Filing Date: January 1, 2020 DEADLINE: January 15, 2020

2020 1st Qtr Report: January 1, 2020, ***or opening reporting date***, through March 31, 2020
Earliest Filing Date: April 1, 2020 DEADLINE: April 15, 2020

2020 2nd Qtr Report: April 1, 2020, ***or opening reporting date***, through June 30, 2020
Earliest Filing Date: July 1, 2020 DEADLINE: July 15, 2020

2020 Pre-Primary Election Report: July 1, 2020 through July 18, 2020
Earliest Filing Date: July 19, 2020 DEADLINE: July 27, 2020

2020 3rd Qtr Report: July 19, 2020 through September 30, 2020
Earliest Filing Date: October 1, 2020 DEADLINE: October 15, 2020

2020 Pre-General Election Report: October 1, 2020 through October 17, 2020

Earliest Filing Date: October 18, 2020 DEADLINE: October 26, 2020

2020 4th Qtr Report*: October 18, 2020 through December 31, 2020

Earliest Filing Date: January 1, 2021 DEADLINE: January 15, 2021

The receipt date by the Clerk's Office is considered to be the date of filing. This includes the date recorded on a sent email. The Clerk's Office is available to accept filing in person during the Town's regular business hours, 7:00 a.m. to 6:00 p.m., Monday through Thursday (excluding holidays)

The information required for each campaign finance report can be found in Arizona Revised Statutes Title 16 Elections and Electors, Chapter 6 (Campaign Contributions and Expenses).

Campaign Contribution Limits [ARS §16-912]

Campaign contribution limits are listed on the Secretary of State's *Campaign Contribution Limits for the 2019-2020 Election Cycle** chart, a link to which is on the Town's website. In summary, the limits are:

1. \$6,450 per election cycle from an individual or a political action committee (PAC) without Mega Pac status.
2. \$12,900 per election cycle from a PAC with Mega PAC status.

***Note: "Election Cycle" is the two-year period beginning on the first day of the calendar quarter after the quarter in which the Town's general election is scheduled, and ending on the last day of the calendar quarter in which the second Town General Election is scheduled. (Current cycle is January 1, 2019 to December 31, 2020. The next cycle will be January 1, 2021 to December 31, 2022.) [ARS §16-901]**

The *Campaign Contribution Limits for the 2019-2020 Election Cycle* chart also contains additional information and regulations regarding campaign finance. Please refer to this document for a comprehensive list of expenditure limitations.

Failure to File [ARS §16-937-938]

A committee failing to file any of the required campaign finance reports is subject to a penalty of \$10 for each day that the filing is late during the first fifteen days after the filing deadline, and \$25 for each subsequent day that the filing is late. Penalties accrue until the late report is filed. If the committee fails to file a report within 30 days after the filing deadline, the filing officer (Town Clerk) may, after providing written notice by email to the committee within five days after the filing deadline, refer the matter to the enforcement officer (Town Attorney).

Upon request from the filing officer or the enforcement officer, a committee that has filed a Statement of Organization shall produce any of the records required to be kept pursuant to ARS §16-907 to the filing officer or enforcement officer.

A person that qualifies as a committee as prescribed by ARS §16-905 shall report all contributions, expenditures and disbursements that occurred before qualifying as a committee and shall maintain and produce records as prescribed by ARS §16-907.

Termination of Candidate Committees [ARS § 16-933-934]

A committee may terminate only when the committee treasurer files a termination statement with the filing officer (Town Clerk) certifying under penalty of perjury that: (1) The committee will no longer receive any contributions or make any disbursements; (2) The committee has either no outstanding debts or obligations, or has outstanding debts or obligations, or both, that are all more than five years old, and that the committee's creditors have agreed to discharge the debts and obligations and have agreed to the termination of the committee; (3) All surplus monies have been disposed of and that the committee has no cash on hand; and (4) All contributions and expenditures have been reported, including any disposal of surplus monies.

A candidate committee may transfer surplus funds, including the committee's debts and obligations, to a subsequent committee for that individual or candidate, as prescribed by ARS §16-913.

A committee shall dispose of surplus monies only as follows:

1. Return surplus monies to the contributor.
2. Contribute surplus monies pursuant to and within the limits prescribed in ARS §16-911-918.
3. In the case of a candidate committee, contribute surplus monies to a candidate committee for another candidate under the following conditions [ARS §16-933(A)(3)]:
 - a) The candidate committee makes the contribution after the time period for filing a nomination paper pursuant to ARS §16-311(A).
 - b) The candidate associated with the candidate committee that makes the contribution did not file a nomination paper to run for election in the current election cycle.
 - c) In the case of a candidate committee for legislative office, the candidate committee makes the contribution when the legislature is not in regular legislative session.
 - d) The candidate committee makes the contribution within the limits prescribed for individuals in ARS §16-912.
4. Donate surplus monies to a nonprofit organization that has tax exempt status under section 501(c)(3) of the internal revenue code.

Surplus monies shall not be used for or converted to personal use.

A Termination Statement is available on the Town's website. This form may be used to dissolve a political committee at the end of the election cycle and/or whenever the committee meets the criteria listed above.

CAMPAIGN FINANCE COMPLAINTS

Campaign Finance Complaints are filed with the Town Clerk who serves as the filing officer for local elections. Individuals wishing to file a Campaign Finance Complaint must file a written complaint stating the alleged violation.

Upon receipt of a written complaint, the Town Clerk shall review the complaint. The Town Clerk shall determine through review of the complaint whether there is reasonable cause to believe that there has been a violation of the Arizona Revised Statutes, Title 16 Elections and Electors, Chapter 6 (Campaign Contributions and Expenses). If, after completing a review of the written complaint, the Clerk finds there is reasonable cause, the Town Clerk notifies the Town Attorney of the alleged violation. The Attorney is responsible for review of the alleged violation or assigning the matter to outside legal counsel for review.

CAMPAIGN FINANCE TRAINING

Campaign Finance Training will be scheduled locally in the spring of 2020. Training is conducted by Maricopa County Elections. Candidates are strongly encouraged to attend; committee chairs and treasurers may also attend this training.

Candidates who are unable to attend the training scheduled for Gilbert may attend training offered by Maricopa County Elections in Phoenix. A list of Campaign Finance training sessions may be available at: <http://recorder.maricopa.gov/web/elections.aspx>.

CAMPAIGNING

SPECIAL PROVISIONS RELATED TO TOWN SPECIAL EVENTS [Code of Gilbert 15-53]

Candidates must abide by the Town code when campaigning at Town Special Events. Campaigning, including the collection of signatures is not allowed in Town Hall or any other public building or at any Town posted public meeting. Following are the rules for campaigning at Town events:

- (a) The parks and recreation director may designate in writing a special event as a town special event under the following conditions:
 - (1) The council has approved the special event as a town special event;
 - (2) The special event meets the following criteria:
 - a. It is open to the public.
 - b. It promotes recreational, cultural, educational or entertainment purposes.
 - c. It is conducted or developed by town staff or approved town board, commission or committee.
 - d. It will be covered under the town's insurance.

- e. It is identified in the town budget.
- (b) At town special events, activities may be limited to those activities consistent with the theme and purpose for the special event, including music, entertainment, food, drink, sale of town merchandise or commercial goods approved by the town in order to:
 - (1) Ensure there is adequate space available for town approved activities and to promote safety of patrons, orderly movement and crowd control; and
 - (2) Minimize potential litter, property damage, noise, or other deleterious impacts of non-town sponsored vendors or solicitors at the town special event.
- (c) Where activities at town special events are limited pursuant to paragraph (b) above, the parks and recreation director shall prepare a written designation of the town special event as a limited public forum, which designation shall include the following:
 - (1) Name of the special event;
 - (2) Theme and purpose of the special event;
 - (3) Date, time, and clearly defined boundaries of the special event.
- (d) The parks and recreation director shall cause notice of the designation of a town special event as a limited public forum to be posted for at least 15 days prior to the special event at the Gilbert Municipal Complex, the parks and recreation office, and on the town website. A copy of the notice shall also be available at the town information booth at the special event, along with a copy of this article. The notice at a minimum shall include the information required in paragraph (c), the location of an adjacent public forum area for activities described in paragraphs (f) and (g) of this section, and the name and telephone number of a parks and recreation department employee who may be contacted for further information.
- (e) Activities in a limited public forum shall be limited as set forth below.
 - (1) It shall be unlawful within the special event boundary for any person or group:
 - a. To solicit payment of money, donations or any thing of value from patrons, without town approval.
 - b. To distribute written materials, trinkets or other items to patrons, without town approval.
 - c. To solicit support for any candidate or cause in an aggressive manner, as defined in section 15-1.
 - d. To circulate petitions among patrons for signature in support of any candidate or cause.
 - (2) Town booth approvals will be issued only to vendors or sponsors supplying food, drink, goods or activities consistent with the theme and purpose of a special event designated as a limited public forum.
 - (3) Nothing in this paragraph (e) shall be construed to prevent individuals from entering the special event designated as a limited public forum to engage in consensual conversation with patrons at the event concerning their causes.

- (f) The director shall establish a "public forum" near the boundary of any town special event designated as a limited public forum.
 - (1) Any person or group (including a political, religious, charitable or educational group) may on a first-come, first-served and space-available basis set up a booth within a ten by ten foot area within the public forum area. Booths must be staffed at all times. The person or group is responsible for providing its own equipment, such as tables and chairs. Booths and related equipment must be removed within two hours after the close of the town special event.
 - (2) Special events held on town property that are not town special events may also be designated as a limited public forum and a public forum area shall be established, following the procedures for town special events.
- (g) Any person or group may engage in political, religious, charitable, or educational activities within the public forum area established under paragraph (f), and in conjunction therewith it shall be lawful:
 - (1) To solicit payment of money, donations or any thing of value from patrons.
 - (2) To distribute written materials, trinkets or other items to patrons.
 - (3) To circulate petitions among patrons for signature in support of any candidate or cause.
- (h) Within a public forum area, it shall be unlawful:
 - (1) To engage in disorderly conduct and/or to disturb the peace.
 - (2) To offer food, drink, goods or activities similar to those provided in the town special event except water may be offered.
- (i) Any person found to be in violation of this article is responsible for a civil violation and may be punished by imposition of a civil sanction not to exceed \$500.00. A person who is found responsible for committing three or more civil violations within an 18-month period is guilty of a class one misdemeanor, as specified in section 1-5 of this Code. Each day that a violation continues shall be a separate violation.

USE OF TOWN RESOURCES [ARS §9-500.14]

The following information is shared with the Mayor, Council and all Town staff before every election:

A. A city or town shall not spend or use its resources, including the use or expenditure of monies, accounts, credit, facilities, vehicles, postage, telecommunications, computer hardware and software, web pages, personnel, equipment, materials, buildings or any other thing of value of the city or town, for the purpose of influencing the outcomes of elections. Notwithstanding this section, a city or town may distribute informational pamphlets on a proposed bond election as provided in section 35-454 if those informational pamphlets present factual information in a neutral manner. Nothing in this section precludes a city or town from reporting on official actions of the governing body.

B. The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of city-focused or town-focused promotional expenditures that occur after an election is called and through election day. This prohibition does not include routine city or town communications.

C. This section does not prohibit the use of city or town resources, including facilities and equipment, for government-sponsored forums or debates if the government sponsor remains impartial and the events are purely informational and provide an equal opportunity to all viewpoints. The rental and use of a public facility by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a government-sponsored forum or debate.

D. Employees of a city or town shall not use the authority of their positions to influence the vote or political activities of any subordinate employee.

E. The attorney general or the county attorney of the county in which an alleged violation of this section occurred may initiate a suit in the superior court in the county in which the city or town is located for the purpose of complying with this section.

F. For each violation of this section, the court may impose a civil penalty not to exceed five thousand dollars plus any amount of misused funds subtracted from the city or town budget against a person who knowingly violates or aids another person in violating this section. The person determined to be out of compliance with this section is responsible for the payment of all penalties and misused funds. City or town funds or insurance payments shall not be used to pay these penalties or misused funds. All misused funds collected pursuant to this section shall be returned to the city or town whose funds were misused.

G. Nothing contained in this section shall be construed as denying the civil and political liberties of any employee as guaranteed by the United States and Arizona Constitutions.

H. For the purposes of this section:

1. "Government-sponsored forum or debate" means any event, or part of an event or meeting, in which the government is an official sponsor, which is open to the public or to invited members of the public, and whose purpose is to inform the public about an issue or proposition that is before the voters.

2. "Influencing the outcomes of elections" means supporting or opposing a candidate for nomination or election to public office or the recall of a public officer or supporting or opposing a ballot measure, question or proposition, including any bond, budget or override election and supporting or opposing the circulation of a petition for the recall of a public officer or a petition for a ballot measure, question or proposition in any manner that is not impartial or neutral.

3. "Misused funds" means city or town monies or resources used unlawfully as proscribed by this section.

4. "Routine city or town communications" means messages or advertisements that are germane to the functions of the city or town and that maintain the frequency, scope and distribution consistent with past practices or are necessary for public safety.

PROMOTIONAL MATERIAL [ARS §16-925]

A person (defined in ARS §16-901(39)) who makes an expenditure for an advertisement or fundraising solicitation, other than an individual, shall include the following disclosure in the advertisement or solicitation:

1. The words "paid for by" followed by the name of the person making the expenditure for the advertisement or fundraising solicitation.
2. Whether the expenditure was authorized by any candidate, followed by the identity of the authorizing candidate, if any.

If a disclosure contains any acronym or nickname that is not commonly known, the disclosure shall also spell out the acronym or provide the full name.

If the advertisement is:

1. Broadcast on radio, the disclosure shall be clearly spoken at the beginning or end of the advertisement.
2. Delivered by hand or mail or electronically, the disclosure shall be clearly readable.
3. Displayed on a sign or billboard, the disclosure shall be displayed in a height that is at least four percent of the vertical height of the sign or billboard.
4. Broadcast on television or in a video or film, both of the following requirements apply:
 - a) The disclosure shall be both written and spoken at the beginning or end of the advertisement, except that if the written disclosure statement is displayed for the greater of at least one-sixth of the broadcast duration or four sections, a spoken disclosure statement is not required.
 - b) The written disclosure statement shall be printed in letters that are displayed in a height that is at least four percent of the vertical picture height.

This disclosure requirement exempts:

1. Social media messages, text messages, or messages sent by a short message service.

2. Advertisements placed as a paid link on a website, if the message is not more than 200 characters in length and the link directs the user to another website that complies with the disclosure requirements.
3. Advertisements that are placed as a graphic or picture link, if the disclosures cannot be conveniently printed due to the size of the graphic or picture and the link directs the user to another website that complies with the disclosures requirements.
4. Bumper stickers, pins, buttons, pens and similar small items on which the required statements cannot be conveniently printed.
5. A solicitation of contributions by a separate segregated fund.
6. A communication by a tax-exempt organization solely to its members.
7. A published book or a documentary film or video.

SIGNS

Sign regulations are contained within the Gilbert Land Development Code, Section 4.4 General Sign Regulations. A diagram showing allowable placement of signs in the public right-of-way follows this section.

Additional regulations on signs can be found below in the ARS §16-1019. The first day a candidate may put up signs is June 5, 2020.

A. It is a class 2 misdemeanor for any person to knowingly remove, alter, deface or cover any political sign of any candidate for public office or knowingly remove, alter or deface any political mailers, handouts, flyers or other printed materials of a candidate that are delivered by hand to a residence for the period commencing forty five days before a primary election and ending seven days after the general election.

B. This section does not apply to the removal, alteration, defacing or covering of a political sign or other printed materials by the candidate or the authorized agent of the candidate in support of whose election the sign or materials were placed, by the owner or authorized agent of the owner of private property on which such signs or printed materials are placed with or without permission of the owner or placed in violation of state law or county, city or town ordinance or regulation.

C. Notwithstanding any other statute, ordinance or regulation, a city, town or county of this state shall not remove, alter, deface or cover any political sign if the following conditions are met:

1. The sign is placed in a public right-of-way that is owned or controlled by that jurisdiction.
2. The sign supports or opposes a candidate for public office or it supports or opposes a ballot measure.

3. The sign is not placed in a location that is hazardous to public safety, obstructs clear vision in the area or interferes with the requirements of the Americans with disabilities act (42 United States Code sections 12101 through 12213 and 47 United States Code sections 225 and 611).
4. The sign has a maximum area of sixteen square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two square feet if the sign is located in any other area.
5. The sign contains the name and telephone number or website address of the candidate or campaign committee contact person.

D. If the city, town or county deems that the placement of a political sign constitutes an emergency, the jurisdiction may immediately relocate the sign. The jurisdiction shall notify the candidate or campaign committee that placed the sign within twenty-four hours after the relocation. If a sign is placed in violation of subsection C and the placement is not deemed to constitute an emergency, the city, town or county may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least twenty-four hours after the jurisdiction notified the candidate or campaign committee, the jurisdiction may remove the sign. The jurisdiction shall contact the candidate or campaign committee contact and shall retain the sign for at least ten business days to allow the candidate or campaign committee to retrieve the sign without penalty.

E. A city, town or county employee acting within the scope of the employee's employment is not liable for an injury caused by the failure to remove a sign pursuant to subsection D unless the employee intended to cause injury or was grossly negligent.

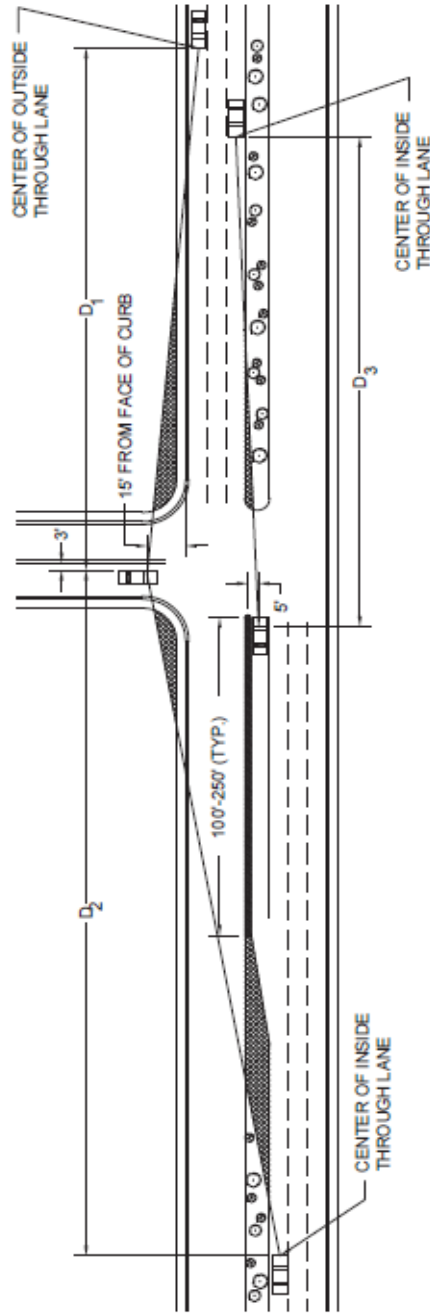
F. Subsection C does not apply to commercial tourism, commercial resort and hotel sign free zones as those zones are designated by municipalities. The total area of those zones shall not be larger than three square miles, and each zone shall be identified as a specific contiguous area where, by resolution of the municipal governing body, the municipality has determined that based on a predominance of commercial tourism, resort and hotel uses within the zone the placement of political signs within the rights-of-way in the zone will detract from the scenic and aesthetic appeal of the area within the zone and deter its appeal to tourists. Not more than two zones may be identified within a municipality.

G. A city, town or county may prohibit the installation of a sign on any structure owned by the jurisdiction.

H. Subsection C applies only during the period commencing sixty days before a primary election and ending fifteen days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election.

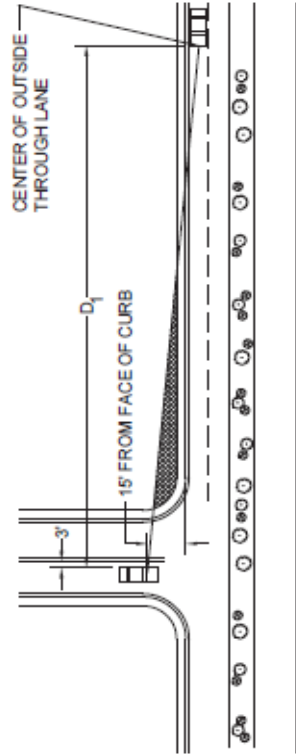
I. This section does not apply to state highways or routes, or overpasses over those state highways or routes.

Questions on signage regulations should be directed to Code Compliance at 503-6700.



GROUND COVER AND FLOWERS LESS THAN 24 INCHES (MATURE) IN HEIGHT AND TREES TRIMMED TO MINIMUM OF 7 FEET ABOVE GROUND ALLOWED IN THIS AREA.

NO PLANTS OF ANY KIND, BOULDERS, OR STRUCTURES ALLOWED IN THIS AREA. DECORATIVE CONCRETE PREFERRED.



NOTE: DETAIL PERTAINS TO ALL CONTROLLED INTERSECTIONS AND COMMERCIAL SHOPPING CENTER DRIVEWAYS ON ALL CLASSIFICATIONS OF ROADWAYS.

MAIN STREET	POSTED SPEED LIMIT ON MAIN STREET	D ₁	D ₂	D ₃
LOCAL	25	310'	355'	245'
COLLECTOR	30	310'	355'	245'
MINOR ARTERIAL	35	365'	415'	285'
MAJOR ARTERIAL	45	415'	475'	325'
	45	590'	625'	445'
	45	665'	665'	480'

DETAIL No.
GIL-212

APPROVED

TOWN ENGINEER

DATE

STANDARD
DETAIL

GILBERT
ENGINEERS

REQUESTS FOR INFORMATION

Requests for public information are processed through the Town Clerk. Until you become a Council candidate (valid petitions and required paperwork have been filed with the Town Clerk), a request for public information will be processed the same as all other public records requests. Recognizing the Town's responsibility to provide accurate information and equal treatment to all Council candidates, the following procedures will be used to provide information to candidates:

1. All candidates will be treated equally.
2. Requests for public information must be submitted in writing.
3. Information given to one candidate will be made available to all candidates.
4. Documents and reports provided to the Council on a regular basis (excluding Council agendas, packets and minutes, which are available online) will be provided to official candidates at no cost.
5. A copying charge will be assessed for copies of documents that are not routinely provided to the Council.

MARICOPA COUNTY ELECTION FILES

The Town Clerk's Office receives a number of election files from Maricopa County Elections and makes them available to candidates on a thumb drive at a cost of \$10 each. Everyone who purchases these files is required to sign a form declaring that the information will not be used for commercial purposes; that it will not be bought, sold or transferred for any purpose (except those authorized by ARS §16-168) unless approved by the Maricopa County Recorder; and that it will only be used for purposes relating to a political or political party activity, a political campaign or an election, for revising election district boundaries, or purposes specifically authorized by law. The signed form will be kept on file in the Clerk's Office and will apply to all election files obtained by the candidate or candidate's committee for the 2020 elections.

Early Ballot Request File (EV-32)

The Early Ballot Requests File contains a list of voters who have requested early ballots, including those voters who are on the Permanent Early Voting List (PEVL), and typically covers the one-week period prior to the date of issue. Candidates are encouraged to contact the Town Clerk's Office in advance to make sure the data is available.

EV-32 files are not cumulative. The names that are in each file are unique to that week's requested early ballot activity. Information contained on this file includes name, address, phone, and other relevant information. This file can be requested on a daily or weekly basis.

Early Ballot Returns File (EV-33)

Every week, beginning with the first full week after early voting begins, Maricopa County issues an Early Ballot Returns File (EV-33). The EV-33 contains a list of voters who have returned their early ballots and typically covers the previous week's returns. Candidates are encouraged to contact the Town Clerk's Office in advance to make sure the data is available.

EV-33 files are not cumulative. The names that are in each file are unique to that week's returned early ballot activity. However, the latest thumb drive will include all of the EV-33 files our office has received to date. Information contained on this file includes name, address, phone, and other relevant information. This file can be requested on a daily or weekly basis.

Voted File (VM-55)

Approximately two weeks after each election, Maricopa county issues a Voted file (VM-55), which contains the names and addresses of the Gilbert registered voters who cast ballots in that election, or who requested an early ballot but did not vote. Each entry is coded to indicate the manner in which the ballot was cast (e.g. at a polling location, by mail, at an early voting site, etc.)

Registered Voter File

Maricopa County also provides a file containing the names and addresses of registered voters in Gilbert. This file is issued at various times throughout the election process, usually in June and at the close of voter registration for the Primary and General elections. The file includes voter information and some voting history.

VOTING INFORMATION

VOTER REGISTRATION

Voters may register or update existing registration at:

<https://recorder.maricopa.gov/elections/registrationform.aspx> or www.servicearizona.com. Voter registration forms are available by calling Maricopa County Elections, 602-506-1511 or 602-506-2348 (TDD).

VOTER REGISTRATION DEADLINES

Primary Election, August 4, 2020

Registration Deadline: July 6, 2020

General Election (if necessary), November 3, 2020

Registration Deadline: October 5, 2020

PERMANENT EARLY VOTING LIST

Arizona allows voters to place their names on a permanent early voting list. Once a voter's name is added to the list, an early ballot or a card on which to designate the political party for which is ballot is requested. Gilbert's non-partisan candidates will be included on all ballots. An early ballot will automatically be mailed to the voter approximately 26 days prior to an election at which he or she is eligible to vote.

Requests to be added to Maricopa County's Permanent Early Voting List must be made in writing to: Maricopa county Elections Department, Attn: PEVL, 510 S. Third Avenue, Phoenix, AZ 85003; or online at www.servicearizona.com. All requests must include the voter's name, residence address, mailing address (if different from the residence address), date of birth, and signature.

A voter's name remains on the permanent early voting list until the voter's registration is cancelled or changed to inactive status, or until the voter requests in writing to be removed from the list.

HOW TO VOTE EARLY BY MAIL OR WITH ASSISTANCE

For an early ballot to be valid and counted, the voted early ballot and signed affidavit must be returned to the Maricopa County Elections Office, or any polling place within Maricopa County, no later than 7:00 p.m. on Election Day.

Voting assistance may be requested by contacting Maricopa County Elections, 510 S. Third Avenue, Phoenix, AZ 85003, 602-506-1511 or 602-506-2348 (TDD), before 5:00 p.m., Friday, July 24, 2020, for the Primary Election, and by Friday, October 23, 2020, for the November 6 General Election. Verbal or written requests must specify the address of confinement.

Voters who request an early ballot for the August 4, 2020 Primary Election will automatically receive an early ballot for the November 3, 2020 General Election.

HOW TO VOTE EARLY IN PERSON

Voters may cast an early ballot in person by appearing at any of the Maricopa County Elections offices listed below, or any other designated early voting site, no later than 5:00 p.m., Friday, July 31, 2020 for the August 4 Primary Election, and Friday, October 30, 2020 for the November 3 General Election.

County Offices Designated for Early Voting in Person:

510 S. Third Avenue, Phoenix (MCTEC Facility)

111 S. Third Avenue, Phoenix (Downtown Facility)

222 E Javelina, Mesa (Mesa Facility)

Early voting hours are 8:00 a.m. to 5:00 p.m., Monday through Friday

VOTING AT THE POLLS ON ELECTION DAY

Polling places will be open from 6:00 a.m. to 7:00 p.m. on Election Day. Any qualified elector who at the moment of closing is in the line of waiting voters shall be allowed to prepare and have his ballot deposited by the election board official in the presence of the election board and himself. [ARS § 16-565(D)]

Any registered voter, at the voter's option, may be accompanied by a minor; be accompanied and assisted by a person of the voter's own choice; or be assisted by two election officials, one from each major political party, during any process relating to voting or during the actual process of voting on a paper ballot, machine or electronic voting system. A person who is a candidate for an office in that election is not eligible to assist any voter. [ARS § 16-580(G)]

For additional information, please call the Gilbert Town Clerk's Office, 480-503-6861

IMPORTANT DATES

DATE	ACTION
January 15, 2020	2019 Annual/4 th quarter Campaign Finance Report Due
March 9, 2020	Earliest Day to Submit Candidate Papers
April 15, 2020	2020 1 st quarter Campaign Finance Report Due
April 6, 2020	Last Day to Submit Candidate Papers <u>at 5:00 p.m.</u>
July 15, 2020	2020 2 nd quarter Campaign Finance Report Due
July 6, 2020	Voter Registration Closes for Primary Election
July 8, 2020	First Day of Early Voting for Primary Election
July 24, 2020	Last Day to Request Mail Ballot
July 27, 2020	2020 Pre-Primary Campaign Finance Report due
July 31, 2020	Last Day to Vote Early in Person at Maricopa County for Primary
August 4, 2020	Last Day to drop off early ballots at a polling place (by 7:00 p.m.)
August 4, 2020	PRIMARY ELECTION
October 5, 2020	Voter Registration Closes for General Election
October 7, 2020	First Day of Early Voting for General Election
October 15, 2020	2020 3 rd quarter Campaign Finance Report due
October 23, 2020	Last Day to Request Mail Ballot
October 26, 2020	2020 Pre-General Campaign Finance Report due
October 30, 2020	Last Day to Vote Early in Person at Maricopa County for General
November 3, 2020	Last Day to drop off early ballots by at a polling place (7:00 p.m.)
November 3, 2020	GENERAL ELECTION
January 15, 2021	2020 4 th quarter Campaign Finance Report due
January 2021	Council takes office (on or after the second Tuesday in January; no later than January 20)